
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ron Palmeri et al.

Attorney Docket No.: ODVFP006

Application No.: 10/820,650

Examiner: Robert B. Harrell

Filed: April 7, 2004

Group: 2442

Title: Techniques for Providing Inter-Operability as a Service

Confirmation Number: 8494

CERTIFICATE OF EFS-WEB TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on **NOVEMBER 10, 2009**.

Signed: _____ / Emma Durrell /
Emma Durrell

APPLICATION FOR PATENT TERM ADJUSTMENT
UNDER 37 C.F.R. §1.705

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In view of the Notice of Allowance, mailed June 18, 2009, and in accordance with 37 C.F.R. §1.705, Applicants respectfully request reconsideration of the period of adjustment. Specifically, Applicants request that the patent term be additionally adjusted under 35 USC § 154(b)(1)(B) and 37 C.F.R. §§ 1.702(b) and § 1.703.(b) based on failure to issue the patent within three years of the actual filing date of the application. Applicants request that the following period be added to the 965 days calculated by the PTO:

No. of Days to Be Added = Issue Date (9/15/09) – Date of filing of an RCE date (06/05/2009) = 102 days.

Statement of Fact, as Required by 37 C.F.R. §1.705(b)(2)

After review of the PTA history, Applicants respectfully submit that the patent term should be adjusted to account for an additional 102 days greater than three years after the filing date that it takes for the patent to issue under 35 USC § 154(b)(1)(B) and 37 C.F.R. §§1.702(b) and §1.703(b).

The Commissioner is hereby authorized to charge the fee for filing a request for reconsideration of the patent term adjustment pursuant to §1.705 set forth in §1.18(e) of \$200.00

and any other fees which may be required or credit any overpayment to Deposit Account No. 504480 (Order No. ODVFP006)

Applicants respectfully request that the patent term adjustment be reconsidered.

Respectfully submitted,

Weaver Austin Villeneuve & Sampson LLP

/ Joseph M. Villeneuve /

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